

PUBLIC (SERVICES)

(195 45) Department

MS. SERIES.

G.O. No. 161

Dated 23rd JANUARY 1948.

[Despatch Abstract.]

PUBLIC SERVICES - Subordinate Services - Members who were absent from duty as a result of strike organised by Non-Gazetted Government Officers' Association - Action against - Rule issued.

Non Gazetted Officers' strike - December 1947 - Action against strike - Rule issued.

GOVERNMENT OF MADRAS.

Abstract.

PUBLIC SERVICES - Subordinate Services - Members who were absent from duty as a result of strike organised by Non-Gazetted Government Officers' Association - Action against - Rule issued.

PUBLIC (SERVICES) DEPARTMENT.

G.O.Ms.No.161

Dated 23rd January 1948.

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ORDER:

The following notification will be published in the Fort St. George Gazette:-

NOTIFICATION.

In exercise of the powers conferred by section 241(2)(b) of the Government of India Act, 1935 and of all other powers hereunto enabling, His Excellency the Governor of Madras hereby makes the following rule.

The rule hereby made shall be deemed to have come into force on the 15th Dec. 1947.

RULE.

Notwithstanding anything contained in the Madras Civil Services (Classification, Control and Appeal) Rules -

(1) the Provincial Government may, by general order, impose, or authorize the imposition of, such penalties as they think fit, whether specified in the said Rules or not, on members of the Subordinate Services who took part in the strike organized by the Non-Gazetted Government Officers' Association in December 1947;

(2) it shall not be necessary to follow the procedure laid down in the said Rules before imposing a penalty (except the penalty of reduction, removal or dismissal) in pursuance of paragraph (1) above or an order issued thereunder;

(3) no appeal or memorial shall be entertained against the imposition of any penalty (except the penalty of reduction, removal or dismissal) in pursuance of paragraph (1) above or an order issued thereunder.

BY ORDER OF HIS EXCELLENCY THE GOVERNOR.

Sd/- x x
Secretary to Government.

To the Superintendent, Government Press, for publication of notification in the Gazette.

To all Heads of Departments.

" Collectors.

To the Secretary, Madras Public Service Commission.

To the S.O.(D.E).

Copy to all Secretaries to Government.

(True copy)

KRVD.17.9.

R. S. Rajagopal
OFFICE ASSISTANT,
MADRAS RECORD OFFICE.

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GOVERNMENT OF MADRAS.

Abstract.

NON-GAZETTED OFFICERS' STRIKE - December 1947 -
Action against strikers - Further instructions - Issued.

PUBLIC (SERVICES) DEPARTMENT.

G.O.Ms.No.162.

Dated 23rd January 1948.

ORDER:

The attention of the Heads of Departments and all other competent authorities is invited to the rule issued in G.O.No.161 Public (Services), dated 23rd January 1948

The intention of the rule is to give legal validity to the instructions issued by the Government in G.O.No.S/2223-17/47 Public dated the 28th December 1947 in respect of the action to be taken against members of the subordinate services who struck work during December 1947. As a result of the rule issued in the G.O. first mentioned above it will not be necessary to ask the non-gazetted officers coming under categories (1) and (2) mentioned in the second G.O. to show cause against the specified penalty or penalties or to follow the procedure prescribed in rule 15 of the Madras Civil Services (Classification, Control and Appeal) Rules; nor is any appeal or memorial allowed. Such procedure should however be followed when dealing with officers coming under categories (3) or (4). Heads of Departments and other appointing authorities are requested to see that full facts are ascertained regarding period of absence etc. before pay is withheld from the officers concerned.

In this connection the question has been raised whether any direct or positive evidence that any of the strikers are guilty of acts of intimidation against the loyal staff or of defiance of the prohibitory order issued under section 144 Criminal Procedure Code should be obtained before action is taken against the persons concerned under G.O.No.S/2223-17/47 Public dated the 28th December 1947. The answer is in the affirmative.

Certain other points have also been raised, viz. whether withholding of pay includes withholding of dearness and other allowances, whether the stoppage of increment for one week ordered in the G.O. of the 28th December 1947 should have cumulative effect etc. Separate orders will be issued in this regard.

BY ORDER OF HIS EXCELLENCY THE GOVERNOR.

Sd/- x x
Secretary to Government.

To the Board of Revenue, with reference to its Ref.
No.S.Part.A.20, dated 2-1-1947.
To the Curator, Madras Record Office, with reference
to his D.O.No.2554 A/46-24, dated 30-12-1947.
To all other Heads of Departments.
To all Collectors.

P.T.O.

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To all Secretaries to Government.
To the Secretary, Madras Public Service
Commission.
To the S.D.(B.E).

(True copy)

KRVD.17.9.

Secy. to Govt.
OFFICE ASSISTANT.
MADRAS RECORD OFFICE.

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